

REMARKS

Applicant has studied the Office Action dated November 25, 2008. Claims 1, 5, 6, and 8 are pending. Claims 1, 5, and 8 have been amended. Claims 1, 5, and 8 are independent claims. No new matter has been added as the amendments have support in the specification as originally filed.

It is submitted that the application, as amended, is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Rejection of Claims 1, 5-6, and 8 under 35 USC §103(a)

Claims 1, 5-6, and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0003393 to Gutta et al. (hereinafter "Gutta"), in view of U.S. Patent No. 6,745,367 to Bates et al. (hereinafter "Bates"), and further in view of U.S. Patent Application Publication No. 2008/0068739 to Russ et al. (hereinafter "Russ"). This rejection is respectfully traversed.

Independent claims 1 and 8 have been amended to now recite: "wherein the displayed program data comprise the title and viewing time corresponding to each of the broadcasting programs viewed during the predetermined time" and "transmitting the program data related to the history of the viewed broadcasting programs to broadcasting stations." Independent claim 5 has been amended to include similar limitations.

With respect to independent claim 1, the Examiner directs the Applicant's attention to paragraph [0031] of Gutta and asserts that Gutta teaches "displaying the program data related to the history of the viewed broadcasting programs in a list form, wherein titles and viewing times of each of the broadcasting programs viewed during the predetermined time are stored in a memory" (Present Office Action, page 3) by asserting that Gutta teaches: "a usage history for each user can be built and displayed to an authorized user, such as which channels were watched and for how long. Present Office Action, page 3. Applicant respectfully disagrees.

In the present invention, “the displayed program data comprise the title and viewing time corresponding to each of the broadcasting programs viewed during the predetermined time,” as recited by independent claims 1, 5, and 8.

In Gutta, however, the usage history displayed includes “which channels were viewed and how long.” Gutta, paragraph [0031]. Therefore, Gutta fails to teach, disclose, or suggest displaying “the title and viewing time corresponding to each of the broadcasting programs viewed during the predetermined time,” as recited by independent claims 1, 5, and 8, since Gutta is limited to displaying the length of time a channel, and not a broadcasting program, was viewed.

As shown in step 520 in FIG. 5, Gutta teaches retrieving information, such as “TOTAL TIME TV HAS BEEN TURNED ON” and “TOTAL TIME TV HAS BEEN WATCHED.” As a result, Gutta fails to teach displaying “the title and viewing time corresponding to each of the broadcasting programs viewed during the predetermined time,” as recited by independent claims 1, 5, and 8, since Gutta is limited to displaying the total time that a channel was watched and not the “viewing time corresponding to each of the broadcasting programs viewed during the predetermined time.”

Applicants respectfully submit that neither Gutta, Bates, nor Russ teaches, discloses, or suggests, alone or in combination, “transmitting the program data related to the history of the viewed broadcasting programs to broadcasting stations,” as recited by independent claims 1 and 8, and as similarly recited by independent claim 5.

As set forth in MPEP 2143, to show a prima facie case for obviousness, all the prior art references, either individually or combined, must teach all the claim limitations. Neither Gutta, Bates, nor Russ teaches “wherein the displayed program data comprise the title and viewing time corresponding to each of the broadcasting programs viewed during the predetermined time” and “transmitting the program data related to the history of the viewed broadcasting programs to broadcasting stations.” Thus, Applicant respectfully submits that a prima facie case for obviousness has not been shown and that independent claims 1, 5, and 8 are patentable over the cited combination of references. Additionally, it is respectfully submitted that claim 6, which depends from independent claim 5, is also allowable over the cited combination of references at least by virtue of its dependence on a patentable claim.

CONCLUSION

In view of the above remarks, Applicant submits that claims 1, 5, 6, and 8 of the present application are in condition for allowance. Reexamination and reconsideration of the application, as originally filed, are requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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